

**AGENDA
BOARD OF SELECTMEN
January 13, 2009
7:00 p.m.
Town Building**

Public Input

Chairman's Comments

Town Administrator's Report

Meeting Minutes

Public Hearing

- 7:15 p.m. Petition from Colonial Spirits (Nickrosz, Inc) for liquor license change

Visitors

- 7:30 p.m. Sudbury Road tree removal: Tree Warden Bruce Fletcher, Superintendent of Street Mike Clayton, and HL&P engineer Jim Kennedy

Action/Discussion

- Mutual Aid Agreement on regional health support
- Appointment of Call Firefighter/EMT
- Proposed bylaw amendment for paper ballots
- Community Preservation Act surcharge abatements

Selectmen's Master Planning

Liaison Reports, if any

Correspondence

Adjournment

Posted 1/09/09

Correspondence

Town:

Stow TV annual report to Comcast, rec'd 12/8/08
Letter from CPC Chairman in response to Selectman's info request, rec'd 12/11/08
Request from Bolton for Fence Viewer, rec'd 12/11/08
CC of resident letter to Planning Board on Lower Village plans, rec'd 12/15/08
Boston MPO letter on ARRT funding, rec'd 12/19/08
Two resident letters on proposed Lake Boon drawdown, rec'd 12/19 and 1/5
Resident letter on Highway dept brush drop-off, rec'd 12/21/08
Planning Board decision on Highgrove Estates (West Acton Rd) subdivision plan, rec'd 12/23/08
ZBA decision on 105 Barton road porch and deck, rec'd 12/29/08
Verizon announcement of local cable channel access (Channel 32), rec'd 12/31/08
HL&P notice of rate changes, rec'd 1/5/09
Planning Board memo on follow-up to STRAP funds, rec'd 1/8/09
Planning Board memo on CPA surcharge, rec'd 1/8/09



Town of Stow
BOARD OF SELECTMEN

Stow Town Building
380 Great Road
Stow, Massachusetts 01775
(978) 897-4515 selectmen@stow-ma.gov Fax (978) 897-4631

LICENSING BOARD FOR THE TOWN OF STOW
(Board of Selectmen)

Notice is hereby given under Chapter 138 of the General Laws that Nickrosz Spirits, Inc., d/b/a Colonial Spirits of Stow, Leslie Scott Wilson, Manager, 117 Great Road, Stow, has applied for a change of location within the Linear Retail shopping center.

A public hearing will be held on the license application on Tuesday, January 13, 2009 at 7:15 p.m. in the Stow Town Building, 380 Great Road.

Thomas H. Ruggiero
Chairman, Board of Selectmen

Posted 12/30/08

Print 1x, The MetroWest Daily News, 1/2/09 issue

Nickrosz Spirits, Inc.
Stow Shopping Center
Great Road
Stow, MA 01775
(978) 897-2303

DEC 9 2008

Yan

December 5, 2008

Board of Selectmen
Town Of Stow
Stow, MA 01775

Dear Selectmen:

I respectfully request your approval to relocate the premises of our store within the Stow Shopping Center. The new store will be located adjacent to the existing store in the former Video Signals premises. This relocation will make possible the expansion of the Shaw's Supermarket into our present location.

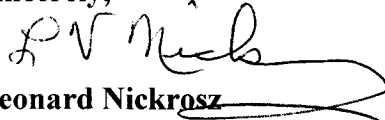
In connection with this request, please find enclosed the following items, which are requested in the "Matrix of Liquor License Transactions" or elsewhere in the ABCC Blue Book published by the Massachusetts Alcoholic Beverage Control Commission:

- 1. Form 43. One original and two copies.**
- 2. Form 997.**
- 3. \$200.00 fee payable to the Commonwealth of Massachusetts.**
- 4. Vote of Corporate Board.**
- 5. Floor Plans of the new premises.**
- 6. Document showing legal right to occupy the premises.**

After you receive this letter and the enclosed documents, kindly advertise the hearing in the appropriate newspaper in accordance with ABCC procedures and supply me with such notice, so I may obtain a certified list of abutters. I will then notify the abutters by certified mail.

Thank you for your time and consideration.

Sincerely,


Leonard Nickrosz
President

THE COMMONWEALTH OF MASSACHUSETTS
ALCOHOLIC BEVERAGES CONTROL COMMISSION

FORM 43

124600005
License Number

Stow, MA
City/Town

12-5-08
Date

Type of Transaction (Please check all relevant transactions)

- | | | |
|--|--|--|
| <input type="checkbox"/> New License | <input type="checkbox"/> New Officer/Director | <input type="checkbox"/> Pledge of License |
| <input type="checkbox"/> Transfer of License | <input checked="" type="checkbox"/> Change of Location | <input type="checkbox"/> Pledge of Stock |
| <input type="checkbox"/> Change of Manager | <input type="checkbox"/> Alter Premises | <input type="checkbox"/> Other _____ |
| <input type="checkbox"/> Transfer of Stock | | |

Nickrosz Spirits, Inc.
Name of licensee

043403429
FID of Licensee

Colonial Spirits of Stow
D/B/A

Leonard Nickrosz
Manager

<u>117</u>	<u>Great Road</u>	<u>01775</u>
Address: Number	Street	Zip Code

<u>Annual</u>	<u>All alcohol, wine & malt</u>	<u>Package Store</u>
Annual or Seasonal	Category: All Alcohol, Wine & Malt	Type: Restaurant, Club, Package Store Hotel, General on Premise, Etc.

Premises:

Description of Licensed Property: Stow shopping center; one customer entrance and
salesroom in front; delivery entrance and
storeroom in rear

Application was filed: 12/8/08 9am
Date & time

Advertised: 1/2/09 METROWEST DAILY NEWS
Date & Publication
Abutters Notified ☒ Yes ☐ No

Person to Contact regarding this transaction: Leonard Nickrosz
117 Great Road
Stow, MA 01775

The Local Licensing Authorities
By: _____

Alcoholic Beverages Control Commission
Cheryl Marshall
Executive Director

Remarks: _____

PETITION FOR LICENSE TRANSACTION

The Commonwealth of Massachusetts

December 5, 2008

☒ Change of Location

☐ Pledge of Stock

☐ Pledge of License

☐ Change of Corporate Name

☐ Change of D/B/A

☐ Change of Manager

☐ Change of License Type

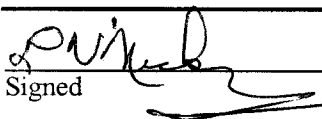
☐ Cordials and Liqueurs Permit

To the

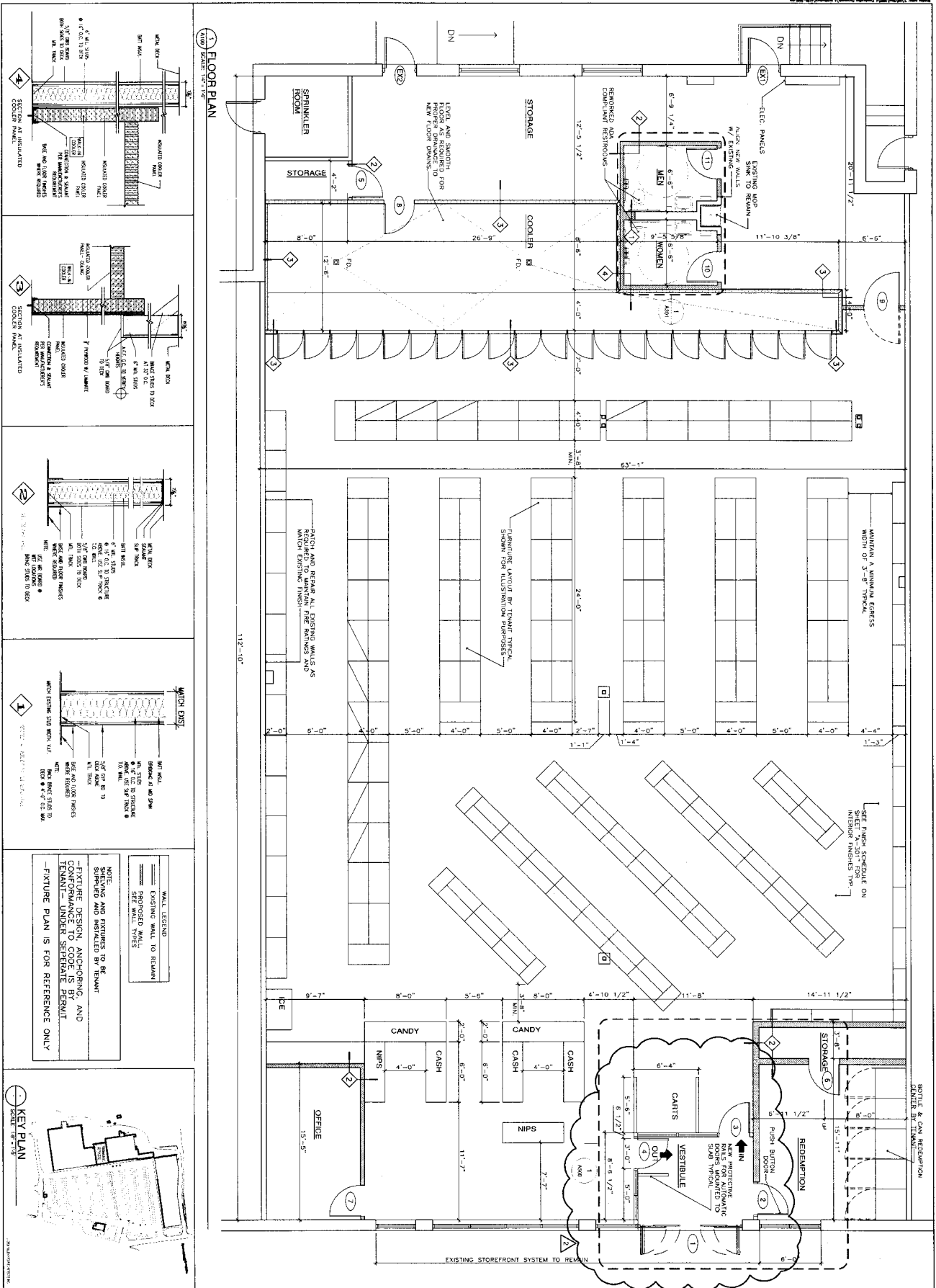
Licensing Board for the

The undersigned respectfully petition for

approval to relocate the premises of our store
within the Stow Shopping Center. The new store will be
located adjacent to the existing store in the former Video
Signals premises.


Signed

President
Title



Stow Selectmen's Office

From: Bruce E. Fletcher [bruceefletcher@verizon.net]
Sent: Monday, January 05, 2009 2:55 PM
To: 'Susan McLaughlin'
Cc: Bill Wrigley; 'Mike Clayton'
Subject: Sudbury Road tree hearings

Hi Susan,

As mentioned back in December, we heard objections to the removal of trees on Sudbury Road by HL&P at the hearing held on December 5th. The hearing on December 19th for tree removals on Sudbury Road for sidewalk construction came in the middle of a snowstorm, so we can only assume that the same objections would have been heard. So I am appealing the decision for both locations to the Selectmen, as required by Statute. The legal notices and hearing reports are attached hereto. As I'm sure you recall from the last one, there is no need for another hearing unless the Selectmen so choose. But we would like to get on the agenda sometime. No rush. HL&P needs to negotiate with one of the abutters who is willing to withdraw his objection if they plant a new vegetative screen by his house, and I don't know how long it will take for them to come to an agreement, so your meeting on the 27th would probably be fine, or even after that.

If you want the letters received, for inclusion with the report, I can drop them off sometime. Let me know what a good date for you is.

Thanks,

Bruce

--

1/5/2009

Town of Stow
HIGHWAY DEPARTMENT
88 South Acton Road
Stow, MA 01775
978-897-8071
Fax 978-897-5682

NOTICE OF PUBLIC HEARING FOR TREE CUTTING

In accordance with MGL Ch. 87, a Public Hearing will be held by the Stow Tree Warden on Friday, December 5, 2008, commencing at 2:00 PM, at the intersection of Sudbury Road and North Shore Drive for the purpose of hearing any objections to the cutting and/or removal of the trees listed below on Sudbury Road between North Shore Drive and Kingland, as requested by the Hudson Light and Power Department for the purpose of installing new power lines. Objections or other comments may also be submitted in writing to the Highway Department at the address shown above, prior to the hearing, but must be received by the Tree Warden prior to the close of the hearing.

The following list begins opposite North Shore Drive and ends near Pole #80 just west of Kingland. The trees can be identified by numbers painted on the pavement in front of each tree, which correspond to the list below.

- | | | | |
|--------------|--------------|---------------|--------------|
| 1. 18" maple | 7. 10" pine | 13. 14" oak | 19. 12" oak |
| 2. 16" pine | 8. 16" pine | 14. 9" maple | 20. 21" pine |
| 3. 12" pine | 9. 8" pine | 15. 15" oak | 21. 22" pine |
| 4. 16" pine | 10. 15" pine | 16. 7" oak | 22. 14" pine |
| 5. 18" pine | 11. 14" oak | 17. 12" maple | 23. 11" pine |
| 6. 13" pine | 12. 10" oak | 18. 18" pine | |

The Tree Warden reserves the right to waive any inconsistencies in identification by size and/or species. The Tree Warden may be contacted at 978-430-6359 with questions or comments.

Bruce E. Fletcher
Tree Warden

For publication two times, 11/25/08 and 12/3/08

REPORT OF PUBLIC HEARING FOR TREE CUTTING,
SUDBURY ROAD, BETWEEN NORTH SHORE DRIVE AND KINGLAND
DECEMBER 5, 2008

At 2PM Friday, December 5, 2008, the public hearing was opened as planned on North Shore Drive at Sudbury Road. In attendance were Steven Bonadio of 13 Woodpecker Court, Jim Boyle of 8 Foxglove Lane, Kristen Donovan of 3 Blueberry Court, Aims Coney of 371 Sudbury Road, William Gould of Hudson Light & Power, Jim Kennedy of Hudson Light & Power, Michael Clayton the Superintendent of Streets, and myself the Tree Warden.

I had received formal written objections to the removal of these trees prior to the hearing, from Henry M Fisher of 14 Woodpecker Court, Lisa and James Donegan of 14 Fox Court, and Steve Bonadio of 13 Woodpecker Court. I was handed another formal written objection from Jim Boyle of 8 Foxglove Lane at the hearing. Verbal objections were heard from Aims Cooney at the hearing.

Lengthy discussion took place about the purpose of the proposal and alternatives. Bill Gould and Jim Kennedy explained the need to connect the end of the service line at North Shore Drive that comes from Hudson via Lower Main Street and State Road, to the end of the service line near Kingland that comes from Gleasondale Road via Whitman Street, in order to ensure a minimal duration of loss of power to hundreds of homes in the event of a problem on either of those routes by providing power through this new link.

I explained that we had gone over the route of the proposed power lines between North Shore and Kingland and chose a route that would affect the least number of trees. Many, but not all, of the trees proposed for removal currently present with problems such as leaning over the road, or showing signs of stress or damage. Others are backed up by younger trees that should be able to take the place of those being cut, yet further back from the road. Not all of this was discussed with all attendees because the discussion turned towards alternatives.

The question was raised why the power lines couldn't be run down the side of the road opposite the homes, and how many more tree would have to be cut to do that. I didn't have that answer, but after the hearing Bill, Jim, and I walked the route again and determined that 16 additional trees would have to be cut to stay on that one side of the road.

The question was also raised about running underground lines, and Jim Kennedy explained that just as many if not more trees would have to be cut to trench down the side of the road. I verified this after the hearing when we walked the route. It was stated that the cost of going underground was many times the cost of aerial wires.

The question was raised why a connection couldn't be made using the existing wires or conduit in the Wildlife Woods development to connect Kingland with North Shore, and it was explained that the wires are too small to handle the load.

Kristen Donovan suggested that Community Preservation Committee funds may be able to be used to preserve the rural character of the road by helping to pay to put the lines underground. I thought that made some sense, but it wouldn't help preserve all the trees.

Bill Gould asked if planting trees to help screen the house at 13 Woodpecker Court from Sudbury Road in exchange for removing trees #17 and 18 would be acceptable. Steve Bonadio agreed to withdraw his objections if that was done, and I got the impression that he could get the others to drop their objections as well. No decisions were made, but both parties agreed to consider this option.

Mr. Coney of Sudbury Road said he would object to any new overhead wires or loss of trees, and would rather suffer a power loss for a few days than lose the rural character of this stretch of road.

Because of Mr. Coney's objections, I stated that this would have to be appealed to the Selectmen for their decision, if Yakov Levin of HLP wishes to pursue it. Technically, however, if all other objections are withdrawn, Mr. Coney's objections might be moot because they weren't in writing.

The hearing was closed at approximately 2:45PM.

Bruce E. Fletcher
Tree Warden

Stow Selectmen's Office

From: Bruce E. Fletcher [bruceefletcher@verizon.net]
Sent: Monday, January 05, 2009 2:55 PM
To: 'Susan McLaughlin'
Cc: Bill Wrigley; 'Mike Clayton'
Subject: Sudbury Road tree hearings

Hi Susan,

As mentioned back in December, we heard objections to the removal of trees on Sudbury Road by HL&P at the hearing held on December 5th. The hearing on December 19th for tree removals on Sudbury Road for sidewalk construction came in the middle of a snowstorm, so we can only assume that the same objections would have been heard. So I am appealing the decision for both locations to the Selectmen, as required by Statute. The legal notices and hearing reports are attached hereto. As I'm sure you recall from the last one, there is no need for another hearing unless the Selectmen so choose. But we would like to get on the agenda sometime. No rush. HL&P needs to negotiate with one of the abutters who is willing to withdraw his objection if they plant a new vegetative screen by his house, and I don't know how long it will take for them to come to an agreement, so your meeting on the 27th would probably be fine, or even after that.

If you want the letters received, for inclusion with the report, I can drop them off sometime. Let me know what a good date for you is.

Thanks,

Bruce

--

1/6/2009

Town of Stow
HIGHWAY DEPARTMENT
88 South Acton Road
Stow, MA 01775
978-897-8071
Fax 978-897-5682

NOTICE OF PUBLIC HEARING FOR TREE CUTTING

In accordance with MGL Ch. 87, a Public Hearing will be held by the Stow Tree Warden on Friday, December 5, 2008, commencing at 2:00 PM, at the intersection of Sudbury Road and North Shore Drive for the purpose of hearing any objections to the cutting and/or removal of the trees listed below on Sudbury Road between North Shore Drive and Kingland, as requested by the Hudson Light and Power Department for the purpose of installing new power lines. Objections or other comments may also be submitted in writing to the Highway Department at the address shown above, prior to the hearing, but must be received by the Tree Warden prior to the close of the hearing.

The following list begins opposite North Shore Drive and ends near Pole #80 just west of Kingland. The trees can be identified by numbers painted on the pavement in front of each tree, which correspond to the list below.

- | | | | |
|--------------|--------------|---------------|--------------|
| 1. 18" maple | 7. 10" pine | 13. 14" oak | 19. 12" oak |
| 2. 16" pine | 8. 16" pine | 14. 9" maple | 20. 21" pine |
| 3. 12" pine | 9. 8" pine | 15. 15" oak | 21. 22" pine |
| 4. 16" pine | 10. 15" pine | 16. 7" oak | 22. 14" pine |
| 5. 18" pine | 11. 14" oak | 17. 12" maple | 23. 11" pine |
| 6. 13" pine | 12. 10" oak | 18. 18" pine | |

The Tree Warden reserves the right to waive any inconsistencies in identification by size and/or species. The Tree Warden may be contacted at 978-430-6359 with questions or comments.

Bruce E. Fletcher
Tree Warden

For publication two times, 11/25/08 and 12/3/08

REPORT OF PUBLIC HEARING FOR TREE CUTTING,
SUDBURY ROAD, BETWEEN NORTH SHORE DRIVE AND KINGLAND
DECEMBER 5, 2008

At 2PM Friday, December 5, 2008, the public hearing was opened as planned on North Shore Drive at Sudbury Road. In attendance were Steven Bonadio of 13 Woodpecker Court, Jim Boyle of 8 Foxglove Lane, Kristen Donovan of 3 Blueberry Court, Aims Coney of 371 Sudbury Road, William Gould of Hudson Light & Power, Jim Kennedy of Hudson Light & Power, Michael Clayton the Superintendent of Streets, and myself the Tree Warden.

I had received formal written objections to the removal of these trees prior to the hearing, from Henry M Fisher of 14 Woodpecker Court, Lisa and James Donegan of 14 Fox Court, and Steve Bonadio of 13 Woodpecker Court. I was handed another formal written objection from Jim Boyle of 8 Foxglove Lane at the hearing. Verbal objections were heard from Aims Cooney at the hearing.

Lengthy discussion took place about the purpose of the proposal and alternatives. Bill Gould and Jim Kennedy explained the need to connect the end of the service line at North Shore Drive that comes from Hudson via Lower Main Street and State Road, to the end of the service line near Kingland that comes from Gleasondale Road via Whitman Street, in order to ensure a minimal duration of loss of power to hundreds of homes in the event of a problem on either of those routes by providing power through this new link.

I explained that we had gone over the route of the proposed power lines between North Shore and Kingland and chose a route that would affect the least number of trees. Many, but not all, of the trees proposed for removal currently present with problems such as leaning over the road, or showing signs of stress or damage. Others are backed up by younger trees that should be able to take the place of those being cut, yet further back from the road. Not all of this was discussed with all attendees because the discussion turned towards alternatives.

The question was raised why the power lines couldn't be run down the side of the road opposite the homes, and how many more tree would have to be cut to do that. I didn't have that answer, but after the hearing Bill, Jim, and I walked the route again and determined that 16 additional trees would have to be cut to stay on that one side of the road.

The question was also raised about running underground lines, and Jim Kennedy explained that just as many if not more trees would have to be cut to trench down the side of the road. I verified this after the hearing when we walked the route. It was stated that the cost of going underground was many times the cost of aerial wires.

The question was raised why a connection couldn't be made using the existing wires or conduit in the Wildlife Woods development to connect Kingland with North Shore, and it was explained that the wires are too small to handle the load.

Kristen Donovan suggested that Community Preservation Committee funds may be able to be used to preserve the rural character of the road by helping to pay to put the lines underground. I thought that made some sense, but it wouldn't help preserve all the trees.

Bill Gould offered to plant trees to help screen the house at 13 Woodpecker Court from Sudbury Road in exchange for removing trees #17 and 18. Steve Bonadio agreed to withdraw his objections if that was done, and I got the impression that he could get the others to drop their objections as well.

Mr. Coney of Sudbury Road said he would object to any new overhead wires or loss of trees, and would rather suffer a power loss for a few days than lose the rural character of this stretch of road.

Because of Mr. Coney's objections, I stated that this would have to be appealed to the Selectmen for their decision, if Yakov Levin of HLP wishes to pursue it. Technically, however, if all other objections are withdrawn, Mr. Coney's objections might be moot because they weren't in writing.

The hearing was closed at approximately 2:45PM.

Bruce E. Fletcher
Tree Warden

14 Fox Court
Stow, MA 01775

Town of Stow
Highway Department
Attention: Bruce E. Fletcher, Tree Warden
88 South Acton Road
Stow, MA 01775

Dear Mr. Fletcher:


We are writing to formally object to the cutting and/or removal of trees on Sudbury Road between North Shore Drive and Kingland Road.

As a five-year resident of Stow, and living adjacent to – and with a clear view of – Sudbury Road, we have several objections:

1. Removal of these trees will eliminate the already thin cover between the road and the houses abutting Sudbury road in the Wildlife Housing development. This development houses many young children and we believe that removal of this thin cover poses a serious threat to children in the neighborhood. The removal of any of these current trees allow for greater access from the backyards to the main road, not only for people to walk into the yards unnoticed, but also for children to more easily find their way to the road.
2. A "clearer" and wider road encourages people who already drive over the speed limit, a common problem on Sudbury road, to increase their speed even more.
3. Trees provide a natural buffer that reduce the noise from the road. Any trees removed increase the noise level from Sudbury Road into the Wildlife Housing Development.
4. From the "Notice of Public Hearing For Tree Cutting," we can only assume that the Hudson Light & Power Department plans to install above ground power lines. If this is the case, we most strenuously object. The beauty of this section of road will most certainly be marred by poles, power lines, and the removal of trees.

We will make every effort to attend the hearing on December 5. In the meantime, we would like to thank you for your consideration to my objections.

Sincerely,


Lisa & James Donegan

Henry & Laura Fisher
14 Woodpecker Court
Stow, MA 01775

November 29, 2008

Town of Stow
Highway Department
Attention: Bruce E. Fletcher, Tree Warden
88 South Acton Road
Stow, MA 01775

Dear Mr. Fletcher:


We are writing to formally object to the cutting and/or removal of trees on Sudbury Road between North Shore Drive and Kingland Road.

As a seven-year resident of Stow, and living adjacent to – and with a clear view of – Sudbury Road, we have two primary objections:

1. Removal of trees # 17 (12" maple) and # 18 (18" pine) will eliminate the already thin cover between the road and my house, creating even more traffic noise. Cars and motorcycles drive very fast on this particular stretch of Sudbury Road – kids on motorcycles passing other drivers in particular – and the Stow Police do not take an active role in stopping speeders or enforcing the speed limit.
2. From the "Notice of Public Hearing For Tree Cutting," We can only assume that the Hudson Light & Power Department plans to install above ground power lines. If this is the case, we most strenuously object. The beauty of this section of road will most certainly be marred by poles, power lines, and the removal of trees. We also question why below ground wiring was not explored further, particularly before the new asphalt was laid down earlier this fall.

We will make every effort to attend the hearing on December 5. In the meantime, we would like to thank you for your consideration to my objections.

Sincerely,



Henry M. Fisher

8 Foxglove La.
Stow, MA 01775
December 4, 2008

Town of Stow
Highway Department
Attention: Bruce E. Fletcher, Tree Warden
88 South Acton Road
Stow, MA 01775

Dear Mr. Fletcher:

I am writing to formally object to the cutting and/or removal of trees on Sudbury Road between North Shore Drive and Kingland Road.

As a resident of Stow, living in the Wildlife sub-division off of Sudbury Road in the affected area, I have a few questions / objections to the "Notice of Public Hearing For Tree Cutting," which are listed below:

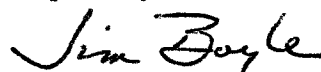
1. Is Hudson Light & Power planning to install above the ground utilities?
2. If so. Why? (All of the utilities in this community have been installed underground.)
3. If they plan on installing underground utilities why are trees being cut on both sides of the road? It would seem to me that if new utilities are to be run, they should be run underground and the trees should only be cut on one side of the road where absolutely necessary. Further, the preferred side for the utilities would be on the East side of Sudbury Rd where the military reservation was formerly.
4. Why have they waited until the new surface was just completed? Why was this not requested at a prior time?
5. Cutting down 23 trees in this small area seems very excessive and damages the value of the neighborhood.
6. Will Hudson Light & Power replant trees and return the road surface to its current condition without additional patches, etc.?

My observation is that since the road has been re-surfaced the driving speeds have increased significantly (maybe as much as 15 miles per hour). If Hudson light & Power wants to clear the area around the road more. This will only make matters worse.

I plan on attending the hearing on December 5.

I would like to thank you for your time and consideration.

Respectfully,



Jim Boyle

Cc: Thomas H. Ruggiero, Chairman (Board of Selectman)

13 Woodpecker Court
Stow, MA 01775
November 29, 2008

Town of Stow
Highway Department
Attention: Bruce E. Fletcher, Tree Warden
88 South Acton Road
Stow, MA 01775

Dear Mr. Fletcher:

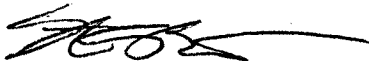
I am writing to formally object to the cutting and/or removal of trees on Sudbury Road between North Shore Drive and Kingland Road.

As a seven-year resident of Stow, and living adjacent to – and with a clear view of – Sudbury Road, I have two primary objections:

1. Removal of trees # 17 (12" maple) and # 18 (18" pine) will eliminate the already thin cover between the road and my house, posing a safety hazard to my young daughter. People tend to drive very fast on this particular stretch of Sudbury Road – kids on motorcycles passing other drivers in particular – and the Stow Police do not take an active role in stopping speeders or enforcing the speed limit. Trees provide a natural buffer that reduce the possibility of accidents occurring to my family.
2. From the "Notice of Public Hearing For Tree Cutting," I can only assume that the Hudson Light & Power Department plans to install above ground power lines. If this is the case, I most strenuously object. The beauty of this section of road will most certainly be marred by poles, power lines, and the removal of trees. I also question why below ground wiring was not explored further, particularly before the new asphalt was laid down earlier this fall.

I will make every effort to attend the hearing on December 5. In the meantime, I would like to thank you for your consideration to my objections.

Sincerely,



Steve Bonadio

13 Woodpecker Court
Stow, MA 01775
December 8, 2008

Town of Stow
Highway Department
Attention: Bruce E. Fletcher, Tree Warden
88 South Acton Road
Stow, MA 01775

Dear Mr. Fletcher:

I am writing to follow up on my attendance at the Public Hearing conducted on December 5 re: the cutting and/or removal of trees on Sudbury Road between North Shore Drive and Kingland Road.

As discussed during the hearing, I believe it makes sense to explore how many trees would have to be removed – versus the 23 slated to be removed as a part of the current plan – if the new power lines and poles were to be strung up only on the east (conservation land) side of Sudbury Road. I believe that if the number of trees to be cut is similar to the current plan, then this would be the best course of action and would avoid tree removal on the west side of the road where Wildlife Woods and my home reside.

That being said, I was intrigued by Hudson L&P's offer during the hearing to plant a "living hedge" behind my house should the original plan move forward. As you know, my original objection was the removal of two trees directly behind my house (# 17, 12" maple; and # 18, 18" pine) due to child safety concerns and also because the cover is already so thin behind my house that the loss of any trees is undesirable to my family and me.

I will formally rescind my original complaint/objection to your plan should Hudson L&P and you agree, in writing, to plant additional trees in the area directly behind my house where trees #17 and #18 are slated to be removed. The new trees would have to be 6-8 feet tall, coniferous, and able to thrive and grow in a low-sunlit area (this might preclude white pines which are indigenous but only thrive in places with a lot of sun). I believe that a dozen trees would be suitable, and I would like to have a say, relying on your guidance because of your expertise in this manner, on the species and placement of the new trees.

By planting new trees, this course of action would be a win for everybody involved. The trees would blend into the environment, enhancing the rural nature of the area. Hudson L&P would be able to execute its plan – notwithstanding other residents' objections – as originally intended with minimal additional cost. And I would have additional cover behind my house, enhancing the safety and natural beauty of my property.

Since I do not have the contact information for the primary party at Hudson L&P, please feel free to share this letter. I hope that we can come to a mutually agreeable arrangement.

Thank you for your consideration, and please keep me informed of future developments.

Sincerely,



Steve Bonadio
Phone: (978) 567-1007
Email: bonstow@comcast.net

Town of Stow
HIGHWAY DEPARTMENT
88 South Acton Road
Stow, MA 01775
978-897-8071
Fax 978-897-5682

NOTICE OF PUBLIC HEARING FOR TREE CUTTING

In accordance with MGL Ch. 87, a Public Hearing will be held by the Stow Tree Warden on Friday, December 19, 2008, commencing at 2:00 PM, at the intersection of Sudbury Road and Pine Point Road for the purpose of hearing any objections to the cutting and/or removal of the seven trees listed below on Sudbury Road between Poles 53 and 54, west of Pine Point Road, as requested by the Superintendent of Streets, for the purpose of installing a new sidewalk. Objections or other comments may also be submitted in writing to the Highway Department at the address shown above, prior to the hearing, but must be received by the Tree Warden prior to the close of the hearing.

The following list begins just west of Pine Point Road and continues westerly: 13" elm, 14" spruce, 19" spruce, 12" spruce, 26" pine, 22" pine, 22" ash.

The Tree Warden reserves the right to waive any inconsistencies in identification by size and/or species. The Tree Warden may be contacted at 978-430-6359 with questions or comments.

Bruce E. Fletcher
Tree Warden

For publication two times, 12/10/08 and 12/17/08

REPORT OF PUBLIC HEARING FOR TREE CUTTING,
SUDBURY ROAD NEAR PINE POINT ROAD
DECEMBER 19, 2008

At 2PM Friday, December 19, 2008, the duly noticed public hearing scheduled at Sudbury Road at Pine Point Road was delayed by a snowstorm. I was late in arriving due to the storm, and observed no one else in attendance at the scheduled location. I failed to record the time of my arrival.

Prior to the hearing, I had received at least three informal opinions from residents in favor of the removal of the posted trees for the purpose of installing a sidewalk. One of the people who spoke in favor was the immediate abutter. It is my understanding that the Planning Board also voted to support the removal of these trees for the purpose of sidewalk construction.

Chapter 87, Section 4 states that public shade trees shall not be cut or removed if objection is made in writing at or before a public hearing, unless approved by the Selectmen. I received no verbal or written objection to the removal of the posted trees. However, since the hearing was not held at the posted time due to the storm, I am hereby objecting to the removal of the posted trees on behalf of anyone who may have been at the hearing location at the scheduled time, or anyone who was unable to attend due to the storm, and who had intended to submit an objection to the removal of the posted trees. Therefore, the decision to cut or remove these trees shall be appealed to the Selectmen.

Part of the rationale behind this decision is that written and verbal objections were received at the hearing for tree removal, held two weeks prior, for trees on Sudbury Road between Kingland and North Shore Drive. Because of the concern about retaining the rural character of Sudbury Road, it can be assumed that the same objections would likely be heard about this location on Sudbury Road if the hearing was to be rescheduled for a later date. Appealing to the Selectmen for a decision at this time saves the time and expense to the taxpayers of the cost of advertising and holding a rescheduled hearing, and avoids the inconvenience to those residents who might choose to attend.

Bruce E. Fletcher
Tree Warden

Stow Selectmen's Office

From: Bruce E. Fletcher [bruceefletcher@verizon.net]
Sent: Wednesday, December 10, 2008 1:23 PM
To: 'Susan McLaughlin'
Cc: 'Mike Clayton'
Subject: HL&P appeal of objections to tree removals

Hi Susan,

See the memo below from Hudson Light & Power. They would like to get on the Selectmen's agenda for a decision regarding 23 trees on Sudbury Road. Objections were received in writing prior to and during the hearing on December 5th, but it appears that those will go away if HL&P agrees to plant some evergreens for screening in a couple of spots where the trees to be removed are closest to houses. One other objection was heard verbally at the hearing, and that person said there was no compromise in his mind.

As you know, if objections are received in writing, the decision is then in the hands of the Selectmen. I will be sending you a report on the Hearing at a later date. Please let me know when this might be on the agenda so I can notify any interested parties. Another hearing is being held on the 19th for extension of the Sudbury Road sidewalk to Pine Point Road. There may be some objections to those tree removals as well, so I would suggest a date later in the month or sometime in January, so the two can be combined.

Thanks,

Bruce

--

Bruce E. Fletcher
Town of Stow
Tree Warden
P.O. Box 393
Stow, MA 01775
978-430-6359

----- Forwarded Message

From: James Kennedy <jkennedy@hudsonlight.com>
Date: Tue, 09 Dec 2008 09:22:47 -0500
To: "Bruce E. Fletcher" <bruceefletcher@verizon.net>
Subject: Tree Hearing Request.doc

TOWN OF HUDSON

12/10/2008

MASSACHUSETTS

OFFICE OF THE LIGHT AND POWER DEPT.

Phone (978) 568-8736 Fax (978) 562-1389



December 9, 2008

Bruce Fletcher

Stow Highway Department

South Acton Rd

Stow, MA 01775

Re: 05 December Tree Hearing

Dear Bruce:

The Hudson Light and Power Department would like to request to go before the Stow Selectman to have a decision made in reference to the cutting of trees on Sudbury Rd, due to the objections voiced at the above referenced Hearing.

Sincerely,

James Kennedy,
Electrical Engineer

12/10/2008

49 Forest Avenue, Massachusetts 01749

„More than 100 Years of Service%

----- End of Forwarded Message

Stow Selectmen's Office

From: TownAdministrator [TownAdministrator@stow-ma.gov]
Sent: Thursday, January 08, 2009 12:47 PM
To: Susan McLaughlin
Subject: FW: New call EMT

Susan, could you add this appointment to the agenda for next Tuesday, thanx,
Bill

-----Original Message-----

From: Mike McLaughlin [mailto:FireChief@stow-ma.gov]
Sent: Thursday, January 08, 2009 12:34 PM
To: Town Administrator
Subject: New call EMT

Bill,

As you know we recently lost some of our experienced call firefighters to full time positions in neighboring communities. To help augment our staff, we add firefighters and EMT's when we find good candidates. We recently had an excellent EMT apply at Stow Fire. Frances M. Adams is a certified EMT. She will be joining our next Firefighter recruit class beginning in the spring. In the meantime, she is willing to work and respond to medical emergencies. She has very good references.

I will submit the necessary payroll forms, once she is an approved hire. If you need more information, please let me know.

Thank you,

Mike

Mike McLaughlin
Stow Fire Chief
Stow Fire Department
16 Crescent Street
Stow, MA 01775
Phone: (978) 897-4537
Fax: (978) 461-1400
Cell: (978) 580-7774

Problem - Public Voting on Spending Articles at Town Meeting

Description of Problem – Many Stow citizens do not want to publicly display their voting preference at Town Meeting on contentious or controversial issues

- The issue is focused on votes related to articles which are contentious for public voting, primarily related to major spending questions! Public discussion is still important but many citizens want their vote to be private.
- Many townspeople do not want to publicly display their voting preference at TM for various reasons. Motivations range from neighbors not wanting to have a dispute with a neighbor to local business people who do not want to openly take positions on TM articles and potentially lose business.

Impact of Problem - Voter Disenfranchisement

- Townspeople have requested paper ballots at TM but were overruled by moderator or majority vote.
- Townspeople have reported they may not vote if in attendance or may not even attend TM.
- Townspeople have reported various issues after their public vote was questioned by others.
- Townspeople have reported intimidation of their children by others after their public vote.
- Townspeople have reported that they openly debate why they should bother to attend TM.

We believe the majority of Townspeople believe their votes on contentious articles in Town Meeting are a personal matter and should not be open for public scrutiny. Whether these issues impact many or few citizens, the perception by Townspeople is enough to damage their confidence in the Town Meeting process which is not acceptable.

Stow needs to eliminate any TM procedures which negatively impact citizen's perceptions of governmental processes or may limit their participation.

Findings in other Massachusetts Towns -

Survey Says! – this problem has been addressed in many towns.

Feedback from about 75 towns on a mail survey sent to towns that use TM and are similar in size with Stow has shown that implementing paper ballots as standard procedure on large spending questions may help resolve this problem...

1. Many towns have recognized the issue and implemented paper ballot procedures if requested by voters at Town Meeting.
2. A few towns have carried these procedures further and require paper ballots for any monetary expenditure exceeding a predetermined amount.
3. Most of the towns that have instituted paper ballot procedures have noted that the time required during Town Meeting has not proved to be a significant problem.

Proposed Solution -

Change Stow By-Laws to Incorporate Paper Ballots as standard procedure on all large monetary expenditures exclusive of school budget and operating budget to be voted on during Town Meeting. The following is a proposal for an update to the town bylaws which CCS believes the BOS should include for action in the next Town Meeting:

PROPOSED --

SECTION 10. The Moderator shall call for a PAPER ballot on ANY WARRANT article ASKING FOR two hundred and fifty thousand dollars (\$250,000) OR MORE, excluding THE annual town operating BUDGET and THE annual education budget.

Anticipated Benefits to Stow by implementing this Change

Clarify TM procedures –

1. TM Attendees will better understand the TM discussion and voting process when it comes to issues important to spending in the town.
2. Total Meeting Time should not be negatively impacted:
 - a. Preparation for each Meeting will be clear for Town Clerk. Ballots prepared in advance.
 - b. No “optional” paper ballots discussion and decision will be required to satisfy the process or Moderator, therefore meeting time should be minimally impacted.
 - c. Total Voting Time – Clerk has commented that voting and counting time can be improved with automation.
3. This does not preclude the use of paper ballots which can still be used on other questions if requested and voted on by TM Attendees.

Increase and Improve Citizen Involvement -

1. Minimize neighbor or business people concern with TM process and implications for their personal voting preferences.
2. Trust in TM process will hopefully increase participation in TM – More people should be willing to attend and listen to information and vote on difficult questions.
3. Improved Citizens acceptance of TM Decisions – reduces second guessing of decisions when everyone can vote without concern.

same house, 1/17/09

EXEMPTIONS

In addition to the residential exemption, you may apply for a total exemption for this year if you meet certain guidelines established by Mass General Law Ch. 44B.

1) Applicant must own and occupy the property as a domicile as of Jan 1, 2008.

2) Applicant and each co-owner must have income for calendar year 2007 at or below the limit for that owner's household type and size.

dependents' allowance and medical expenses exclusion is then subtracted to arrive at the Annual Income for the CPA Exemption. Each co-owner (or trustee) must meet the income standard separately if they do not reside at the property. There is no asset limit.

The Town of Stow will consider all financial information submitted **CONFIDENTIAL**.

Property owned by senior (60 or older)

Household Size	Annual Income Limit
1	60,100
2	68,600
3	77,200
4	85,800
5	92,700
6	99,500

Property owned by non-senior (under 60)

Household Size	Annual Income Limit
1	48,000
2	54,900
3	61,800
4	68,600
5	74,100
6	79,600

Each owner's Household Annual Gross Income considers all sources and must include income from all household members over the age of 18 who were not full time students during year 2007. (For property subject to a Trust, all trustees must submit income data.) A